



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/189,250 11/10/98 SILVESTER

K INTL-0154-US

EXAMINER

TM02/0124

TIMOTHY N TROP
TROP PRUNER HU & MILES
8554 KATY FREEWAY STE 100
HOUSTON TX 77024

HOOSAIN, A

ART UNIT

PAPER NUMBER

2645

DATE MAILED:

01/24/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

SM

Office Action Summary

Application No.

09/189,250

Applicant(s)

SILVESTER, KELAN C.

Examiner

Allan Hoosain

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 1998.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4, 8-17 and 19-25 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Greco et al. (US Patent 5,568,540).

As to Claim 1, with respect to Figures 1-2, **Greco et al.**, teach a method of receiving messages comprising:

receiving electronic mail messages (Figure 2 and Col. 4, lines 45-62);

receiving telephonic messages (Figure 2 and Col. 4, lines 45-62); and

displaying information about said electronic mail and telephonic messages together on a graphical user interface (Figure 2).

As to Claim 2, **Greco et al.**, teach the method of claim 1 further including identifying the source of the telephonic message (Figure 2, From column).

As to Claim 3, **Greco et al.**, teach the method of claim 2 further including handling the message differently based on the source of the telephonic message (Figure 3 and Col. 4, lines 38-44).

As to Claim 4, **Greco et al.**, teach the method of claim 3 further including converting at least a portion of the telephonic message to text (Figures 2-3).

As to Claim 8, with respect to Figures 1-2, **Greco et al.**, teach an article comprising a medium for storing instructions that cause a computer to:

- receive information about an electronic mail message (Figure 2 and Col. 4, lines 45-62);
- receive information about a telephonic message (Figure 2 and Col. 4, lines 45-62); and
- display information about said electronic mail and telephonic messages together on a graphical user interface (Figure 2).

As to Claim 9, with respect to Figures 1-2, **Greco et al.**, teach computer-implemented method of handling telephonic messages comprising:

- identifying the source of the telephonic message (Figure 2);
- converting at least a portion of the telephonic message to text (Figures 2 and 3); and
- displaying said text in connection with a graphical user interface (Figure 2).

As to Claim 10, **Greco et al.**, teach the method of claim 9 wherein displaying said text includes displaying text together with information about electronic mail messages on the same graphical user interface (Figure 2 and Col. 4, lines 54-62).

Art Unit: 2645

As to Claim 11, **Greco et al.**, teach the method of claim 9 further including identifying the source of the message and handling the message differently depending on the source of the message (Figures 2 and 4).

As to Claim 12, with respect to Figures 1-2, **Greco et al.**, teach an article comprising a medium for storing instructions that cause a computer to:

- identify the source of a telephonic message (Figure 2, From column);
- convert at least a portion of the telephonic message to text (Figures 2-3); and
- display said text in connection with a graphical user interface (Figure 2).

As to Claim 13, with respect to Figures 1-2, **Greco et al.**, teach a method of handling messages comprising:

- identifying the source of the message (Figure 2, From column); and
- handling said message differently depending on the source of the message (Figures 2 and Figure 3).

As to Claim 14, **Greco et al.**, teach the method of claim 13 including receiving both telephonic and electronic mail messages (Figure 2).

As to Claim 15, **Greco et al.**, teach the method of claim 14 including displaying said electronic mail and telephonic messages together on the same graphical user interface (Figure 2).

Art Unit: 2645

As to Claim 16, **Greco et al.**, teach the method of claim 15 including converting at least a portion of a telephonic message to text and displaying said text in connection with a graphical user interface (Figure 2).

As to Claim 17, **Greco et al.**, teach the method of claim 13 wherein handling said message differently includes providing a different message based on the source of the call (Figure 2 and Col. 4, lines 54-62).

As to Claim 19, **Greco et al.**, teach the method of claim 13 wherein handling said message differently includes determining the format for storing the message based on the identity of the source of the message (Col. 4, lines 54-62).

As to Claim 20, with respect to Figures 1-2, **Greco et al.**, teach an article comprising a medium for storing instructions that cause a computer to:

identify the source of a telephonic message (Figure 2); and

handle the message differently depending on the source of the message (Figures 2, 4).

As to Claim 21, **Greco et al.**, teach the article of claim 20 including instructions that cause a computer to receive both telephonic and electronic mail messages (Col. 4, lines 54-62).

Art Unit: 2645

As to Claim 22, **Greco et al.**, teach the article of claim 21 including instructions that cause a computer to display said electronic mail and telephonic messages together in a graphical user interface (Figure 2).

As to Claim 23, **Greco et al.**, teach the article of claim 22 including instructions that cause a computer to convert at least a portion of a telephonic message to text and display said text in connection with a graphical user interface (Figure 2 and Col. 4, lines 54-68).

As to Claim 24, with respect to Figures 1-2, **Greco et al.**, teach a system for handling messages comprising:

- A call server (first device) that identifies the source of a telephonic message (Col. 3, lines 64-67);

- a client computer (second device) that converts at least a portion of the message to text (Col. 3, lines 64-67); and

- a display (third device) that displays the text in connection with a graphical user interface (Col. 3, lines 3-7).

As to Claim 25, with respect to Figures 2-3, **Greco et al.**, teach a graphical user interface comprising:

- a first portion including an icon which identifies whether a message was received telephonically or by electronic mail (Figure 2);

Art Unit: 2645

a second portion comprising information which identifies the source of the communication (Figure 2); and

a third portion including the substance of at least a portion of the message (Figures 2-3).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-7 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greco et al., in view of Langlois et al. (US Patent 6,018,571)

As to Claim 5, **Greco et al.**, teach the method of claim 1 further including determining whether identifying information of the telephonic message is displayed.

The primary reference, Greco et al., does not teach the following limitation:

“determining whether identifying information of the telephonic message matches a database of known callers”

The secondary reference, Langlois et al., teach the said limitation (Col. 8, lines 33-36 and Col. 9, lines 30-32). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to provide the said Greco’s reference with a database for screening callers as taught by the said Langlois’ reference in order to provide advisory and personal messages to specific callers.

Art Unit: 2645

As to Claim 6, **Greco et al.**, teach the method of claim 5 further including determining whether a telephone message should be redirected (Figure 2).

The primary reference, Greco et al., does not teach the following limitation:

“determining whether a telephone message should be forwarded to another telephony device”

The secondary reference, Langlois et al., teach the said limitation (Col. 13, lines 8-26). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to provide the said Greco’s reference with a database for screening callers as taught by the said Langlois’ reference in order to provide forwarding of caller to voice mail.

As to Claim 7, **Greco et al.**, teach the method of claim 6 further including determining whether the message should be retained (Col. 5, lines 19-21).

As to Claim 18, Greco et al., teach the method of claim 13 wherein handling said message differently includes determining whether to redirect a message (Figure 2).

The primary reference, Greco et al., does not teach the following limitation:

“determining whether to forward the call to a different telephony device based on the source of a call”

The secondary reference, Langlois et al., teach the said limitation (Col. 13, lines 8-26). Having the cited art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to provide the said Greco’s reference with a database for screening callers as taught by the said Langlois’ reference in order to provide forwarding of callers to voice mail.

Art Unit: 2645

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Sylvan (US Patent 5,457,738) teaches a computer telephone which displays message icons.

Pepe et al. (US Patent 5,742,668) teach a personal communications system with message screening and notification.

Dunn et al. (US Patent 5,651,054) teach monitoring messages in voice mail system.

Murray (US Patent 5,699,089) teaches displaying of incoming messages on a computer screen .

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry)

Or:

(703) 308-6296 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive.
Arlington, VA., Sixth Floor (Receptionist).

Art Unit: 2645

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Allan Hoosain** whose telephone number is (703) 305-4012. The examiner can normally be reached on Monday to Friday from 7 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Fan Tsang**, can be reached on (703) 305-4895.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.


Allan Hoosain

Patent Examiner

01/20/01